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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ROBERT SZEGEDY, an individual,

) Case No.: C 10-05579 EMC

Plaintiff,

) STIPULATION AND [PROPOSED]

VS.

) ORDER CONTINUING CASE

MONTAG DIVULGAÇÃO LTDA., a Brazilian limited liability partnership; and DOES 1 through 100, inclusive,

-) MANAGEMENT CONFERENCE AND
-) CASE MANAGEMENT CONFERENCE
-) STATEMENT DE ADLINE

Defendants.

) STATEMENT DEADLINE
)

) Currently Scheduled

) Currently Sched

) Date: October 7, 2011

) Courtroom: 5 = 17th Floor

},
}
};

) Hon. Judge Edward M. Chen, District

),

) **Complaint Filed:** December 9, 2010

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) Trial Date

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rule 6-1(b) of the Civil Local Rules of the United States District Court, Northern District of California, Plaintiff ROBERT SZEGEDY, an individual (“Plaintiff”), on the one hand, and Defendant D MONTAG DIVULGAÇÃO LTDA., a Brazilian limited liability partnership (“Defendant”), on the other hand, hereby agree and stipulate as set forth below.

This Stipulation and Proposed Order are being submitted for the purpose of continuing the Case Management Conference (“CMC”) in this case, which is currently scheduled for October 7, 2011, to and until October 21, 2011, or to a date thereafter convenient to the Court, as well as continuing the CMC Statement deadline that is tied to the date of the CMC. As set forth in the Recitals below, the parties each believe that good cause exists for the continuation of such CMC in light of the present posture of this case, including the fact that the Default of Defendant was set aside on September 28, 2011.

RECITALS

WHEREAS, pursuant to the Case Management Conference Order in Reassigned Cases dated July 1, 2011 (“CMC Order”) (Doc. No. 23), a Case Management Conference in this matter is currently scheduled for October 7, 2011, at 9:00 a.m., in Courtroom 5, 17th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California; and

WHEREAS, the CMC Order requires that the parties file a joint case management statement no later than one week in advance of the case management conference date, or, in this case, September 30, 2011; and

WHEREAS, this Court issued an Order Granting Defendant’s Motion to Set Aside Entry of Default (Docket No. 37) on September 28, 2011; and

WHEREAS, the parties are preparing for private mediation of this dispute; and

WHEREAS Plaintiff and Defendant need extra time to prepare a joint Case Management Conference Statement subsequent to this Court’s September 28, 2011, Order setting aside entry of default;

WHEREAS, Plaintiff and Defendant agree and stipulate that a continuance of the CMC and CMC Statement deadline to and until October 21, 2011, or to a date thereafter convenient to

the Court would be appropriate; and

WHEREAS, the parties agree and therefore jointly request that the Case Management Conference currently scheduled for October 7, 2011, at 9:00 a.m. be rescheduled to and until October 21, 2011, or to a date thereafter convenient to the Court, as well as continuing the CMC Statement deadline that is tied to the date of the CMC; and

WHEREAS, the requested time modifications would have no substantial effect on the schedule for this case; and

WHEREAS, Rule 6-1(b) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to request a modification of fixed deadlines by stipulation in writing; and

WHEREAS, pursuant to Civil Local Rule 6-1(b), a Court Order is required to give effect to this Stipulation; and

STIPULATION

NOW THEREFORE, Plaintiff and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:

1. Subject to the Court's calendar, the Case Management Conference in this matter shall be continued to and until October 21, 2011, or to a date thereafter convenient to the Court, in Courtroom 5, 17th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California; and

2. The last day to file a joint case management conference statement should be one week in advance of the case management conference date.

SO STIPULATED.

IDELL & SEITEL LLP

Dated: September 29, 2011

/s/ Owen Seitel
Owen Seitel
Elizabeth J. Rest
Attorneys for Plaintiff ROBERT SZEGEDY

LAW OFFICES OF KIRK B. FREEMAN

Dated: September 29, 2011

/s/ Kirk B. Freeman

Kirk B. Freeman

Matthew A. Mallet

Attorneys for Defendant

MONTAG DIVULGAÇÃO LTDA.

SIGNATURE ATTESTATION

I, Kirk B. Freeman, attest that I am one of the attorneys for Defendant MONTAG DIVULGAÇÃO LTDA., and as the ECF user and filer of this document, I attest that, pursuant to General Order No. 45(X)(B), concurrence in the filing of this document has been obtained from Owen Seitel, the above signatory.

Dated: September 29, 2011

By: /s/ Kirk B. Freeman

Kirk B. Freeman

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that:

1. The Case Management Conference in this matter shall be continued to
Oct. 21 _____, 2011, at 9:00 a.m., in Courtroom 5, 17th Floor, Federal Building, 450 Golden Gate Avenue, San Francisco, California; and

2. The last day to file a joint case management conference statement shall be one week in advance of the case management conference date.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 10/3/11

